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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JASON RUGGIERO, an individual;

Plaintiff,

vs.

MGM GRAND HOTEL, LLC d/b/a MGM GRAND
HOTEL & CASINO;

Defendant.

CASE NO: 2:23-cv-02133-JCM-DJA

**JOINT (~~PROPOSED~~) STIPULATED
DISCOVERY PLAN & SCHEDULING
ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR II 26-1**

A discovery conference in which all parties of record participated in the meeting required under Fed. R. Civ. P. 26(f) was held on **March 1, 2024**. Pursuant to Fed. R. Civ. P. 26(f) and LR II 26-1, the parties do hereby stipulate to the following discovery plan and scheduling order.

1. **Initial Disclosures:** The parties have agreed to exchange initial disclosures by **March 29, 2024**, pursuant to Fed. R. Civ. P. 26(f).
2. **Subject of Discovery:** Unless otherwise limited by subsequent stipulations, the parties shall be allowed to conduct discovery to the full extent permitted under the Federal Rules of Civil Procedure. The parties agree that for any discovery request requiring a party to conduct a search of an electronic database, the party requesting discovery shall supply the governing search terms.

3. **Discovery Cut-Off Date(s): August 12, 2024**, which is 180 days from **February 14, 2024**, the date that Defendant first appeared and filed its Motion to Dismiss Plaintiff's Errata to Complaint.

4. **Amending the Pleadings and Adding Parties:** The last day to file motions to amend pleadings or to add parties is **May 14, 2024**, which is not later than ninety (90) days prior to the close of discovery.

5. **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** The disclosure of experts and expert reports shall occur by **June 13, 2024**, which is not less than sixty (60) days before the discovery deadline. Disclosure of rebuttal experts and their reports shall occur by **July 15¹⁵, 2024** as July 13, 2024 is a Saturday which is not later than thirty (30) days before the discovery deadline.

6. **Dispositive Motions:** Dispositive motions may be filed no later than **September 11, 2024**, which is not later than thirty (30) days after the discovery deadline. In the event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be extended for the same duration, to be no later than thirty (30) days from the subsequent discovery cut-off date.

7. **Pretrial Order:** The pretrial order shall be filed by **Friday, October 11, 2024**, is not later than thirty (30) days after the date set for filing dispositive motions. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision of the dispositive motions or until further order of the Court. In the further event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the time period set forth in this paragraph.

8. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** ²⁶⁻³ LR ~~26-4~~ governs modifications or extensions of this discovery plan and scheduling order.

1 **9. Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed. R. Civ. P. 26(a)(3),
2 and any objections thereto, shall be included in the pretrial order.

3 **10.** The attorneys of record in this matter are registered for electronic filing with this Court.
4 Any documents electronically filed with this Court are deemed to be sufficiently served on the other
5 party as of the date that the document is electronically filed with the Court.

6 **11. Alternative dispute-resolution:** The parties certify that they met and conferred about the
7 possibility of using alternative dispute-resolution processes including a settlement conference or
8 mediation. The parties agree that this matter is appropriate for mediation or a settlement conference
9 once some discovery has been conducted.

10 **12. Trial by a magistrate judge:** The parties certify that they considered consent to trial by a
11 magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial
12 Program (General Order 2013-01). At this time, the parties do not consent to a trial by the
13 magistrate judge or the use of the Short Trial Program.
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13. **Electronic Evidence:** The parties certify that they discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. The parties have agreed to produce electronically-stored evidence in either paper or .pdf format, absent a showing of good cause for such evidence to be produced in native format.

Dated this 18th day of March, 2024 .

Dated this 26th day of March, 2024.

HATFIELD & ASSOCIATES, LTD.

MGM RESORTS INTERNATIONAL

/s/ Trevor J. Hatfield

/s/ Scott R. Pettit

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ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 3/28/2024

CERTIFICATE OF SERVICE

I certify that on the 27^h day of March, 2024, I electronically filed the foregoing **JOINT (PROPOSED) STIPULATED DISCOVERY PLAN & SCHEDULING ORDER PURSUANT TO FRCP 26(f)** with the Clerk of the Court using the ECF system which served the parties hereto electronically.

DATED: March 27, 2024

By: /s/ Freda P. Brazier
An employee of Hatfield & Associates, Ltd.